

10,000 mg of a compound of formula I." On the other hand, a relevant part of the '164 patent's claim 21, from which claims 22-24 depend, reads as follows: "an effective amount of a non-immunosuppressive pyrrolidine carboxylate or pyrrolidine amide compound having an affinity for FKBP-type immunophilins." Embodiments that are excluded from the '164 patent's claims 22-24, but not present in Application's claims 25-27, are believed apparent from the broadest reasonable interpretation of these claims. Cf. MPEP § 2111. Thus, the present claims are nonidentical face-to-face the claims of the '164 patent.

4. Conclusion

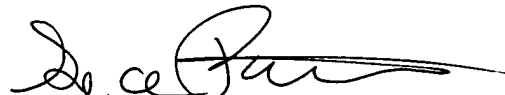
The rejection should be withdrawn and the application allowed. Applicants respectfully request reexamination of the claims and the timely allowance of the claims.

Respectfully submitted,

Date

11/24/13

By



FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 295-4166

Facsimile: (202) 672-5399

If any [further] extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this paper, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-0741.

Sean A. Passino

Registration No. 45,943